

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 13, 2014
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and limit their remarks to fewer than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** July 23, 2014

- V. ANNOUNCEMENTS**

- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**

- VII. APPROVAL OF THE AGENDA:** August 13, 2014

- VII-1. ELECTION OF OFFICERS:** Election of Planning Commission Officers (Chair and Vice Chair) to serve one-year terms.

- VIII. CONSENT CALENDAR**

- VIII-1 SUNSET PROVISION ZONING AMENDMENT – 1504-1666 Centre Pointe Drive - ZA14-0008** – A request for a Zoning Text Amendment to Section XI-10-56.03 Nonconforming Uses of Buildings and Structures (B.2) to amend the sunset provision in the specific plan areas that allow non-conforming uses to apply for a CUP from June 16, 2014 to June 16, 2016. This project is exempt from further CEQA review pursuant to Section 15061(b)(3) in that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Project Planner: Scott Ruhland (408) 586-3274, sruhland@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 14-030 recommending the City Council approve Zoning Text Amendment No. ZA14-0008 to extend the sunset date from June 16, 2014 to June 16, 2016 for the re-establishment of discontinued non-conforming uses within the Midtown and Transit Area Specific Plan areas.

- IX. PUBLIC HEARING**

- IX-1 ODYSSEY PRE-SCHOOL CUP – 430 South Abel Street – UP14-0011, MS14-0028:** A request for a Conditional Use Permit and Minor Site Development Permit to operate a preschool in an existing commercial building and to permit various building and site modifications. This project is categorically exempt from further CEQA review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines. Project Planner: Tracy Tam, (408) 586-3276, ttam@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission Adopt Resolution No. 14-031 approving Conditional Use Permit No. UP14-0011 and Minor Site Development Permit No. MS14-0028 to operate a preschool in an existing commercial building and to permit various building and site modifications.

IX-2 HOUSING ELEMENT UPDATE – Citywide – Presentation from consultant and staff on the 2014 Housing Element Update. Felix Reliford (408) 586-3071 freliford@ci.milpitas.ca.gov

Item deferred to September 10, 2014

X. NEW BUSINESS

NO ITEMS

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT – The next Planning Commission meeting is scheduled for September 10, 2014

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
E-mail: mogaz@ci.milpitas.ca.gov Phone (408) 586-3040

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279.
